FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 53

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 30 January, 2013

1. The House met at 11.34 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 29 January, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Matters of Urgent Public Importance:**
(*i*) Citing Standing Order VIII, Rule 46, Hon. Samson Osagie (*Orhionmwon Uhunmwode Federal Constituency*) drew the attention of the House to a judgment delivered by Justice Abubakar Talba of a High Court in the Federal Capital Territory on Monday, 28 January, 2013 in the case of the State vs Mr John Yusuf and others. He noted that the accused, who pleaded guilty to the charge of a fraud involving about ₦27billion Police Pensions Fund, was merely fined the sum of ₦750,000 only. Hon. Osagie viewed the ruling as not commensurate to the offence committed by the convict, and capable of sending wrong signals to public officers entrusted with public funds. He therefore called on the House to consider the matter as one of urgent public importance, and to suspend Order VIII, Rule 46 (3) to enable the House debate the matter immediately.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Urgent need for the EFCC/AGF to Appeal the Judgment of a Federal Capital Territory High Court on the Police Pensions Fraud by Mr John Yusuf and Others:

The House:

Notes that Mr John Yusuf and some persons are currently undergoing trial at the FCT High Court, Abuja, Nigeria for fraud in the over ₦38billion Police Pensions Fund;

Aware that the monumental fraud in the Police Pension Fund had resulted in untold hardship for Police Pensioners who have had their pensions unpaid for many months running;

Further aware that on Monday, 28 January, 2013, the High Court imposed a fine of a paltry sum of ₦750, 000 on Mr John Yusuf, who pleaded guilty to being involved in the fraudulent conversion of over ₦27billion naira of the Police Pensions Fund to private use;

Worried that this sort of judgment of a court can only serve as an incentive for public officers entrusted with the management of public funds to commit more acts of corruption as the judgment in this case did not meet the justice of the matter, given the huge amount of fraud committed by Mr John Yusuf in the Police Pension Fund;

Disturbed that this judgment has been widely criticized by both lawyers and civil society groups, as being a slap on the wrist since the sentence ought to be strictly to deter other public officers from meddling with public funds.

Resolves:

(*i*) To urge the EFCC and the Attorney-General of the Federation, as a matter of urgency, to appeal the judgment of Justice Talba of the FCT High Court in the case of the State vs Mr John Yusuf and others, with a view to seeking stricter punishment for the offence under Section 309, of the Penal Code Act, Cap. 532 Laws of the Federal Capital Territory, Abuja, Nigeria 2007;

(*ii*) That the National Assembly should set machinery in motion to review the provisions of the Penal and Criminal Codes to provide stricter punishment in such cases (*Hon. Samson Osagie — Orhionmwon Uhunmwode Federal Constituency and 9 Others*).

Debate:

Question put and agreed to.

The House:

Noted that Mr John Yusuf and some persons are currently undergoing trial at the FCT High Court, Abuja, Nigeria for fraud in the over ₦38billion Police Pensions Fund;

Aware that the monumental fraud in the Police Pension Fund had resulted in untold hardship for Police Pensioners who have had their pensions unpaid for many months running;

Further aware that on Monday, 28 January, 2013, the High Court imposed a fine of a paltry sum of ₦750,000 on Mr John Yusuf, who pleaded guilty to being involved in the fraudulent conversion of over ₦27billion naira of the Police Pensions Fund to private use;

Worried that this sort of judgment of a court can only serve as an incentive for public officers entrusted with the management of public funds to commit more acts of corruption as the judgment in this case did not meet the justice of the matter, given the huge amount of fraud committed by Mr John Yusuf in the Police Pension Fund;

Disturbed that this judgment has been widely criticized by both lawyers and civil society groups, as being a slap on the wrist since the sentence ought to be strictly to deter other public officers from meddling with public funds.

Resolved:

(*i*) To urge the EFCC and the Attorney-General of the Federation, as a matter of urgency, to appeal the judgment of Justice Talba of the FCT High Court in the case of the State vs Mr John Yusuf and others, with a view to seeking stricter punishment for the offence under Section 309, of the Penal Code Act, Cap. 532 Laws of the Federal Capital Territory, Abuja, Nigeria 2007;

(*ii*) That the National Assembly should set machinery in motion to review the provisions of the Penal and Criminal Codes to provide stricter punishment in such cases (**HR. 21/2013**).

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Akpan Micah Umoh (*Ikot Abasi/Mkpat Enin/Eastern Obolo Federal Constituency*) called the attention of the House to the recent torrential rains that destroyed a portion of the Federal Road linking Esene town to Ikot Abasi urban centre. He noted that the road was rendered unmotorable and thus causing untold hardship to the people of the area and other road users. He stressed the strategic importance of the road and the urgent need to reactivate it, and thus urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable the House debate the matter immediately.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Urgent Need for the Rehabilitation/Reconstruction of a Portion of the Federal Road linking Esene to Ikot Abasi urban which has been washed away and made impassable by the first rain of the year:

The House:

Notes that the Federal road linking Esene in Ikpa Nung Asang to Ikot Abasi urban which was constructed in the 1990's has been washed away and rendered impassable and unmotorable by the torrential first rain of the year, 2013;

Worried that the people of Esene town of Ikpa Nung Asang clan in Ikot Abasi Local Government Area and other road users who ply the road daily are seriously impaired by this mishap;

Further worried that the mobility of goods and services, particularly farm products in the area, and the movement of children to school, both primary and secondary are badly disrupted;

Concerned that the sick people in the affected area are in danger because they cannot travel to Ikot Abasi urban where there are medical facilities for medicament thereby cutting the people off from access to available health care delivery;

Disturbed that if there is delay in Government intervention in the matter, the lives of hundreds of residents and other citizens of the Federal Republic of Nigeria would be seriously affected adversely.

Resolves:

That the matter be referred to the House Committee on Federal Road Maintenance Agency (FERMA) for immediate action (*Hon. Akpan Micah Umoh — Ikot Abasi/Mkpat Enin/Eastern Obolo Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that the Federal road linking Esene in Ikpa Nung Asang to Ikot Abasi urban which was constructed in the 1990's has been washed away and rendered impassable and unmotorable by the torrential first rain of the year, 2013;

Worried that the people of Esene town of Ikpa Nung Asang clan in Ikot Abasi Local Government Area and other road users who ply the road daily are seriously impaired by this mishap;

Further worried that the mobility of goods and services, particularly farm products in the area, and the movement of children to school, both primary and secondary are badly disrupted;

Concerned that the sick people in the affected area are in danger because they cannot travel to Ikot Abasi urban where there are medical facilities for medicament thereby cutting the people off from access to available health care delivery;

Disturbed that if there is delay in Government intervention in the matter, the lives of hundreds of residents and other citizens of the Federal Republic of Nigeria would be seriously affected adversely.

Resolved:

That the matter be referred to the Committee on Federal Road Maintenance Agency (FERMA) for immediate action (**HR. 22/2013**).

4. **Alleged Mismanagement of Huge Sums of Money from the Foreign Reserve and the Excess Crude Oil Accounts:**
Motion made and Question proposed:

The House:

Notes that $45 Billion in the Foreign Reserve Account and $22 Billion in the Excess Crude Account being Direct Earnings from Oil since 2007 was said to have disappeared;

Aware of the allegations made by the former Minister for Education, Hon. Obiageli Ezekwesili;

Further aware that the Federal Government responded to the allegation by accusing the former Minister of Education of misappropriating ₦458 billion between 2006 and 2007.

Resolves to:

Mandate the Committees on Finance, and Appropriations to conduct an Investigative Hearing and report back to the House within 6 weeks (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that $45 Billion in the Foreign Reserve Account and $22 Billion in the Excess Crude Account being Direct Earnings from Oil since 2007 is said to have disappeared;

Aware of the allegations made by the former Minister for Education, Hon. Obiageli Ezekwesili;

Further aware that the Federal Government responded to the allegation by accusing the former Minister of Education of misappropriating ₦458 billion between 2006 and 2007.

Resolved to:

Mandate the Committees on Finance, and Appropriations to conduct an Investigative Hearing and report back to the House within 6 weeks (**HR. 23/2013**).

5. **Need to Check the Alleged Inhuman Activities of Companies commissioned by the Federal Capital Territory Administration to Enforce Motor Parking Regulations and Parking Fees Collection in Abuja:**
Motion made and Question proposed:

The House:

Notes that transportation has a direct bearing on the standard of living of the citizens of any nation;

Further notes that Abuja as the Capital City of Nigeria needs to be managed in such a way that it will become a source of pride for every Nigerian which could be the intention for introducing the parking control system by the Federal Capital Territory Administration;

Aware that the Companies commissioned by the Federal Capital Territory Administration (FCTA) for the enforcement of Motor Parking Regulations and Parking Fees collectors in the Federal city include Integrated Parking Services Ltd, and Platinum Parking Management Services Ltd;

Worried that the Agents commissioned by the Federal Capital Territory Administration to ensure discipline, sanity and orderliness in the Abuja transportation system are causing problems for vehicle owners;

Further worried that motorists are unable to identify the particular Company or Agent overseeing a particular area because different companies seem to be at war over who is in charge;

Cognizant of the need to ensure the protection of the rights of the citizens while making concerted efforts to make our environment more conducive.

Resolves to:

Mandate the Committee on Federal Capital Territory (FCT) to investigate the operations of these Companies and report back to the House within 4 weeks (*Hon. Odebunmi Olusegun — Ogo-Oluwa/Surulere Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that transportation has a direct bearing on the standard of living of the citizens of any nation;

Further noted that Abuja as the Capital City of Nigeria needs to be managed in such a way that it will become a source of pride for every Nigerian which could be the intention for introducing the parking control system by the Federal Capital Territory Administration;

Aware that the Companies commissioned by the Federal Capital Territory Administration (FCTA) for the enforcement of Motor Parking Regulations and Parking Fees collectors in the Federal city include Integrated Parking Services Ltd, and Platinum Parking Management Services Ltd;

Worried that the Agents commissioned by the Federal Capital Territory Administration to ensure discipline, sanity and orderliness in the Abuja transportation system are causing problems for vehicle owners;

Further worried that motorists are unable to identify the particular Company or Agent overseeing a particular area because different companies seem to be at war over who is in charge;

Cognizant of the need to ensure the protection of the rights of the citizens while making concerted efforts to make our environment more conducive.

Resolved to:

Mandate the Committee on Federal Capital Territory (FCT) to investigate the operations of these Companies and report back to the House within 4 weeks (**HR. 24/2013**).

6. Urgent Need to Investigate the Management, Implementation and Effectiveness of the Aviation Intervention Fund:
Motion made and Question proposed:

The House:

Notes that the Central Bank of Nigeria (CBN) had established the Aviation Intervention Fund to restore confidence and financial stability in the Aviation industry;

Aware that ₦85.6 billion had been disbursed to various Airlines as at December 31, 2011 with the sole aim of refinancing up to 100% non-nonperforming loans at a concessionary interest rate of between 2% and 7%;

Further aware that Air Nigeria received about ₦35.5bn facility as part of the intervention fund;

Disturbed that Air Nigeria has now suspended its operations since September 10, 2012 with almost 1,000 staff losing their jobs;

Further disturbed that the Aviation Intervention Fund has not effectively touched the lives of ordinary Nigerians;

Worried that air travel has continued to remain elusive to ordinary Nigerians despite the huge sums of money invested in the industry.

Resolves to:

(*i*) Mandate the Committee on Aviation to investigate why Air Nigeria, a beneficiary of the intervention fund to the tune of ₦35.5bn has suspended its operations with almost 1,000 staff losing their jobs;

(*ii*) further mandate the Committee on Aviation to investigate the effectiveness or otherwise of the Aviation Intervention Fund and report its findings to the House within 4 weeks (*Hon. Ibrahim Shehu Gusau — Gusau/Tsafe Federal Constituency*).

Debate:

Motion, by leave of the House withdrawn.

7. **Consolidation of Bills:**
Motion made and question proposed, "That a Bill for an Act to Amend the Consumer Protection Council Act, Cap. C25 Laws of the Federation of Nigeria, 2004 to modify its Composition, widen the scope of its Functions and Powers in order to Provide for a Broader and more effective Council and for Related Matters (HB.72) and a Bill for an Act to Repeal the Consumer Protection Council Act, Cap. C25, of the Laws of the Federation of Nigeria 2004 and to Re-Enact the Consumer Protection Agency Act, 2011; to Provide for the Establishment of an Investigation Unit, ensure Effective Civil Action for Damages and Other Unfair or Deceptive Practices, ensure Discontinuance of Prohibited Acts, among Other Things Complement Other Laws Governing Restraints of Trade, Unfair Competition and Unfair, Deceptive and Fraudulent Acts or Practices in Order to Protect the Public and Foster Fair and Honest Competition and for Other Related Matters (HB. 95) and a Bill for an Act to Protect Telephone Consumers from the Activities of Telemarketers and to Provide for Adequate Sanctions against the Business of Telemarketing in Nigeria and for Other Purposes Connected Therewith (HB. 427) be now consolidated" (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Ordered: *That the Committee on Rules and Business slate the Bills separately for consideration.*

8. **A Bill for an Act to Amend the Environmental Health Officers (Registration, etc.) Act 2002 and for Other Related Matters (HB.132) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Amend the Environmental Health Officers (Registration, etc.) Act 2002 and for Other Related Matters (HB.132) be now read a Second Time" (*Hon. Uche Lilian Ekwunife — Anaocha/Njikoka/Dunukofia Federal Constituency*).

Debate:

Question that the Bill be now read a Second time, put and agreed to.

Bill read the Second Time and referred to the Committee on Environment.

9. **A Bill for an Act to Provide for the Establishment of a National Institute for Forensic Sciences and for Matters Connected Therewith (HB. 160) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of a National Institute for Forensic Sciences and for Matters Connected Therewith (HB. 160) be now read a Second Time" (*Hon. Famurewa Israel Ajibola — Atakunmosa East/Atakunmosa West/Ilesa East/Ilesa West Federal Constituency*).

Debate:

Question that the Bill be now read a Second time, put and agreed to.

Bill read the Second Time and referred to the Committee on Information and Communication Technology (ICT).

10. **Adjournment:**
That the House do now adjourn till Thursday, 31 *January*, 2013 *at* 11.00 *a.m.* (*Hon. Leo Ogor — Deputy House Leader*).

The House adjourned accordingly at 1.30 *p.m.*

Aminu Waziri Tambuwal
Speaker